

Message Text

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ACTION SCSE-00

INFO OCT-01 ARA-16 ISO-00 H-03 L-03 PA-04 PRS-01 SCA-01

CIAE-00 INR-11 NSAE-00 SY-04 USIA-15 SNM-02 JUSE-00

DEAE-00 /061 W

----- 125055

P 252333Z JUL 74

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC PRIORITY 2948

UNCLAS SECTION 1 OF 2 MEXICO 6319

E.O. 11652: N/A

TAGS: CASC: MX

SUBJECT: HUNGER STRIKE BY AMERICANS IN MEXICAN JAILS

REF: STATE 154858, MEXICO 6122 AND PREVIOUS

1. FOLLOWING ARE ONLY STATISTICS PRESENTLY AVAILABLE CONCERNING SENTENCES OF AMERICAN CITIZENS AS COMPARED TO OTHER NATIONALS. EMBASSY QUERIED FOREIGN MISSIONS CONCERNED FOR INFORMATION RE THEIR NATIONALS WHO RECENTLY SENTENCED ON DRUG CHARGES:

AUSTRALIAN - ONE NATIONAL ARRESTED JULY 1973 AT AIRPORT, IMPORTATION 350 GRAMS MARIJUANA. SENTENCED JANUARY 1974 TO SIX YEARS AND 3000 PESO FINE. SUBJECT REPORTED NO MISTREATMENT DURING INTERROGATION.

BRITISH - ONE NATIONAL ARRESTED AT AIRPORT NOVEMBER 1973, IMPORTATION ONE-HALF KILO COCAINE. AWAITING SENTENCE.

CANADIAN - TWO NATIONALS. ONE ARRESTED MAY 1973 AT AIRPORT, IMPORTATION 850 GRAMS OF COCAINE. SENTENCED FEBRUARY 1974, TO SEVEN YEARS. SECOND NATIONAL ARRESTED AUGUST 1973 AT AIRPORT IMPORTATION ONE KILO COCAINE. SENTENCED FEBRUARY 1974, TO SEVEN YEARS SIX MONTHS. WHEN FIRST SEEN BY CONSULAR OFFICER WITHIN SHORT PERIOD AFTER
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ARREST, ACCORDING TO CANADIAN CONSULAR OFFICER, NEITHER

PRISONER REPORTED NOR COMPLAINED OF TORTURE OR MISTREATMENT DURING INTERROGATION. HOWEVER, TWO DAYS AFTER HUNGER STRIKE BEGAN ALL BUT ONE OF NINE CANADIAN PRISONERS SIGNED STATEMENTS THAT THEY WERE TORTURED AND MISTREATED AT THE TIME OF ARREST AND NOT PERMITTED TO COMMUNICATE WITH CONSULAR OFFICER. CANADIAN AMBASSADOR, WHO PROTESTED TO FOREIGN OFFICE, HAS BEEN INFORMED THAT UPON INVESTIGATION, PRISONERS' ALLEGATIONS "HAVE BEEN FOUND TO BE UNTRUE".

GERMAN - ONE NATIONAL ARRESTED MARCH 1972 WITH TWO AMCITS (ONE LATER ABSOLVED OF COMPLICITY) WITH SIX OUNCES COCAINE. SENTENCED DECEMBER 1973 TO SIX YEARS. NOTE: AMCIT INVOLVED THIS CASE WITH TWO OUNCES COCAINE AND 150 GRAMS MARIJUANA, SENTENCED SAME DATE TO EIGHT YEARS SIX MONTHS. FOLLOWING AMCITS SENTENCED ON SIMILAR CHARGES AS THOSE FOREIGN NATIONALS LISTED ABOVE:

BIBBERO, MARTIN H. ARRESTED APRIL 1972, IMPORTATION TWO KILOS COCAINE. SENTENCED SEPTEMBER 1973 TO SEVEN YEARS.

DALE, FRANKLIN WILLIAM, ARRESTED NOVEMBER 1973, IMPORTATION ONE-HALF KILO COCAINE. SENTENCED APRIL 1974 TO SIX YEARS.

FELDSTEIN, ALFRED M., ARRESTED APRIL 1973, IMPORTATION APPROXIMATELY FOUR AND ONE-HALF KILOS COCAINE. SENTENCED MAY 1974 TO THIRTEEN YEARS.

HAMLEY, CHRISTOPHER, ARRESTED AUGUST 1973, IMPORTATION TWO KILOS COCAINE. SENTENCED MARCH 1973 TO SEVEN AND ONE-HALF YEARS.

LOCKE, FRANK, ARRESTED DECEMBER 1973, POSSESSION OF 750 LSD TABLETS AND UNKNOWN QUANTITY MARIJUANA. SENTENCED MAY 1974 TO NINE AND ONE-HALF YEARS.

HAAPALA, ANNELLE, ARRESTED NOVEMBER 1972, IMPORTATION 2.5 KILOS COCAINE. SENTENCED MAY 1974 TO THIRTEEN ONE-HALF YEARS. NO STATISTICS AVAILABLE RE MEXICAN PRISONERS CHARGED WITH SIMILAR CRIMES. WHILE IT IS UNLIKELY MEXICAN NATIONALS WOULD BE INVOLVED IN IMPORTATION OPERATIONS OF UNCLASSIFIED

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THIS NATURE, EMBASSY CONTINUING EFFORT TO SECURE SUCH STATISTICS AS MIGHT BE AVAILABLE.

2. - OF THE 162 AMCIT PRISONERS IN MEXICO CITY CONSULAR DISTRICT ONLY THE FOLLOWING ELEVEN MADE ALLEGATIONS OF MISTREATMENT DURING INTERROGATION. IT SHOULD BE NOTED THAT IN SOME CASES, THE ALLEGATIONS WERE HANDED UP TO THE EMBASSY THROUGH FAMILIES, FRIENDS AND CONGRESSMEN, AND LONG AFTER

THE PRISONERS' INITIAL INTERVIEW WITH A CONSULAR OFFICER.

BALPI VINCENT PAUL, ARRESTED JUNE 1974. HIS BROTHER REPORTED TO EMBASSY THAT HE WAS "BEATEN INTO A CONFESSION".

BARTZ, PATRICIA, ARRESTED OCT 1973. "CONFESSED UNDER DURESS". REPORTED TO EMBASSY MAY 1974 THROUGH ATTORNEY.

BAUGHMAN, ALISON, ARRESTED JUNE 1973. IN A LETTER TO HER FAMILY DATED APRIL, 1974, ALLEGED THAT "ALL INITIAL DECLARATIONS MADE UNDER THREAT."

BELDING, DAVID R., ARREST OCTOBER 1973. LITTLE FINGER BROKEN DURING INTERROGATION. NOTED BY CONSULAR OFFICER AT INITIAL INTERVIEW.

CARNEY, JAMES G., ARRESTED JULY 1973. DURING INITIAL INTERVIEW WITH CONSULAR OFFICER STATE HE "CONFESSED UNDER DURESS."

COULTER, TYRONE, ARRESTED SEPTEMBER 1973. REPORTED TO CONSULAR OFFICER AT INITIAL INTERVIEW THAT HE "TORTURED WITH ELECTRODES AND BEATEN DURING INTERROGATION."

HAGERMAN, JOHN BYRON, ARRESTED APRIL 1973. DURING INITIAL INTERVIEW STATED HE WAS "TORTURED WITH ELECTRIC RODS FOR FOUR HOURS."

MORRIS, MARILYN D., ARRESTED JUNE 1974. DURING INITIAL INTERVIEW ALLEGED SHE WAS "SLAPPED AND KICKED AROUND."

SMITH, WILLIAM SAMUEL, ARRESTED MARCH 1974. IN A LETTER DATED MAY 1974 TO SECRETARY KISSINGER, HE ALLEGED HE WAS UNCLASSIFIED

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"TORTURED WITH ELECTRIC CATTLE PRODS AND BEATEN DURING INTERROGATION."

TODD, JOHN COLLINS, ARRESTED DEC 1973. IN A LETTER DATED MARCH 1974, TO SENATOR TUNNEY, HE DESCRIBED TORTURE OF THE ARRESTEES IN GENERAL. HE DID NOT IMPLY THAT HE WAS A VICTIM HIMSELF.

WORKER, DWIGHT, ARRESTED DECEMBER 1973. IN AN UNDATED LETTER TO SENATOR TUNNEY (FORWARDED TO EMBASSY MAY 1974) HE STATED "MANY PRISONERS FORCED TO MAKE CONFESSIONS, THROUGH SLEEP DEPRIVATION, CATTLE PRODS, BEATINGS AND COERCION."

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CIAE-00 INR-11 NSAE-00 SY-04 USIA-15 SNM-02 JUSE-00

DEAE-00 /061 W

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P 252333Z JUL 74

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC PRIORITY 2949

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3. COMMENT

A. IN OUR TALKS WITH VARIOUS OFFICIALS CONCERNING ALLEGATIONS BY PRISONERS THAT THEY ARE TORTURED OR OTHERWISE ABUSED AND MISTREATED DURING INTERROGATION, SOME OFFICIALS CANDIDLY HAVE ADMITTED THAT INTERROGATION METHODS CAN BE "VIGOROUS" BUT, AS MIGHT BE EXPECTED, THEY HAVE DENIED THAT TORTURE AND MISTREATMENT ARE STANDARD METHODS. THE EMBASSY BELIEVES THAT A FEW AMERICANS HAVE PROBABLY BEEN ABUSED IN VARYING DEGREES ON ARREST AND HAS PROTESTED OFFICIALLY THE FACT THAT MANY AMERICANS HAVE BEEN DENIED THEIR RIGHT TO COMMUNICATE WITH CONSULAR OFFICERS UPON ARREST AND DURING INVESTIGATIVE PERIODS OF 3 DAYS OR MORE. MOST ALLEGATIONS OF ABUSE OR TORTURE ARE SAID TO OCCUR DURING THIS INVESTIGATIVE PERIOD. NEVERTHELESS, THE CONSULAR SECTION ASSURES US THAT IT HAS NO REASON TO BELIEVE THAT ACTUAL TORTURE AND MISTREATMENT ARE STANDARD INTERROGATION PROCEDURES RESORTED TO BY THE AUTHORITIES IN A ROUTINE MANNER.

B. MOST OF THOSE WHO HAVE COMPLAINED OF MISTREATMENT OR TORTURE WERE FOUND TO BE CARRYING DRUGS ON THEIR PERSONS OR IN THEIR LUGGAGE. SINCE A CONFESSION TO THAT EFFECT WOULD APPEAR TO BE UNNECESSARY ANY OVERZEALOUS OR HARSH INTERROGATION PROCEDURES WHICH MIGHT HAVE BEEN USED PRESUMABLY WOULD HAVE BEEN IN AN EFFORT TO EXTRACT FROM THEM

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INFORMATION AS USEFUL TO UNITED STATES AUTHORITIES AS TO THOSE OF MEXICO REGARDING SOURCE AND DESTINATION OF THE DRUG. IN DECIDING A CASE, THE COURT DOES TAKE INTO ACCOUNT CREDIBLE EVIDENCE CONCERNING THE METHODS BY WHICH A CONFESSION MIGHT HAVE BEEN EXTRACTED.

C. IN KEEPING WITH ITS OBLIGATION-BOTH STATUTORY AND MORAL - THE EMBASSY WILL MAKE EVERY EFFORT TO PROVIDE AMERICAN CITIZENS ALL APPROPRIATE PROTECTION AGAINST ABUSE AND PARTICULARLY INFRINGEMENT ON HUMAN RIGHTS. JOVA

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Draft Date: 25 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MEXICO06319
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740202-0701
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740718/aaaaapjl.tel
Line Count: 236
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: STATE 154858, MEXICO 6122 AND PREVIO, US
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 12 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 JUL 2002 by thomasv0>; APPROVED <21 JAN 2003 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HUNGER STRIKE BY AMERICANS IN MEXICAN JAILS
TAGS: CASC, CPRS, SWEL, MX, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005